

STATEMENT OF PURPOSE

RS19148

Amend Idaho Code to increase the maximum rate that may be charged for processing transaction fees under the Lake Protection Act to provide for recovery of the costs to administer encroachment permitting and public trust land leasing.

Chapters 12 and 13, Title 58, Idaho Code, establish state ownership of the beds of navigable waters and require the State Board of Land Commissioners to regulate, control, and permit encroachments on, in or above the beds or waters of lakes owned and controlled by the state of Idaho. The Idaho Department of Lands (IDL) is responsible for the administration of the Lake Protection Act which generally consists of reviewing encroachment applications and approving permits. Each transaction involves document review and processing, and at least one site inspection. The average cost is \$300 for single and two family dock permits, and \$550 for shoreline protection permits. Currently, the maximum fee allowed by code is capped at \$250. The proposed legislation would raise the cap for single and two family dock permits to \$500 and shoreline protection permits to \$1,000 with actual fees set by the State Board of Land Commissioners. The assessment of these user fees will address the issue of declining General Fund subsidization and allow IDL to maintain the level of service needed to continue the effectiveness of this program.

FISCAL NOTE

The department processes an average of 339 single and two family dock permits per year which would generate approximately \$16,950 annually at the proposed fee rate of \$300. In addition, an average of 57 shoreline protection permits are processed each year which would generate \$17,100 annually if the application fee established covered the current actual cost of \$550. Total increase in General Fund revenue would be \$34,050.

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